

EXHIBIT 3

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

ALAN N. VARA, et al.,

Plaintiffs,

V.

SKANSKA USA BUILDING INC. D/B/A

SKANSKA, et al.,

Defendants.

CIVIL ACTION NO. 1:22-cv-01180
MSN-IDD

DECLARATION OF JACQUELINE C. CANZONERI

I hereby certify, declare, and verify under penalty of perjury and pursuant to 28 U.S.C. § 1746, this 11th day of August, 2023, that:

1. I am over the age of 18 and competent to testify to the facts set forth in this declaration.

2. I am an associate attorney with the law firm of O'Donoghue & O'Donoghue LLP, counsel for Plaintiffs-Creditors in the above-captioned case. I am an attorney of record for the Plaintiffs in this action.

3. On July 28, 2023, I appeared in the United States District Court for the Eastern District of Virginia on a Motion to Compel Defendants DayCJ Plumbing & Mechanical Inc. and Edgar Jimenez (“Defendants”) to appear for depositions, and Motion for Sanctions based upon Defendants’ failure to appear for properly noticed depositions.

4. Since the July 28, 2023 hearing and corresponding order, Defendants have not contacted Plaintiffs or taken any action to comply with the Court's order.

5. In preparation for the properly noticed depositions of the Defendants, I arranged for a Court Reporter to appear at my office on August 11, 2023.

6. On August 11, 2023, none of the deponents appeared at 5301 Wisconsin Avenue, NW, Washington, D.C. 20015.

7. Before commencing the depositions in absentia, I waited approximately ten minutes past the depositions scheduled start time. Thereafter, I e-mailed Mr. Jimenez at his DayCJ email address to notify him that because DayCJ Plumbing and Mechanical Inc's corporate representatives, and him personally, failed to appear for today's depositions, I would be filing a motion to show cause by 5:00 p.m. on August 11, 2023. Mr. Jimenez did not reply to that e-mail correspondence, or otherwise contact me.

Respectfully submitted,

/s/ Jacqueline Canzoneri
Jacqueline C. Canzoneri, *Pro Hac Vice*
O'DONOGHUE & O'DONOGHUE LLP
5301 Wisconsin Avenue, NW, Suite 800
Washington, D.C. 20016
Telephone No.: (202) 362-0041
Facsimile No: (202) 362-2640
jcanzoneri@odonoghuelaw.com
Counsel for the Plaintiffs